

over Mardhekar (U.S. Patent No. 5,528,558) in view of Smolinske (U.S. Patent 5,655,218); and Claims 6 and 8 under 35 U.S.C. §103 (a) as being unpatentable over Kataoka et al. (U.S. Patent 5,448,532) in view of Smolinske (U.S. Patent 5,655,218).

With respect to the above stated rejections, on May 15, 2001, Michael J. Musella, Applicant's representative, conducted a telephone interview with the Examiner. During the interview it was discussed that the cited references do not disclose the present invention. It was discussed that the present invention relates to a device that receives a reference time from a remote location and uses that reference time to calculate the local time of a selected world city, the local time being the time in the selected city.

The claims of the present application recite a means (Claim 1) and a step (Claim 6) of "automatically calculating a local time...based on...*a present location of said apparatus.*" To reiterate the distinctions, the present invention discloses that the user of the present invention can travel with the apparatus to different time zones wherein the apparatus will receive from the remote location the reference time of the time zone that the user has traveled into, which, as a result, will automatically adjust the apparatus to enable the correct local time of a selected city to be displayed without further user intervention; again, the local time being the time in the selected city. This virtually eliminates user intervention.

In contrast, by combining Mardhekar and Smolinske, the resulting device is a world time clock with the current chronological information. Neither Mardhekar nor Smolinske, nor a combination thereof disclose or suggest in a world clock that receives current chronological information and uses that information as the reference time of the world clock function. Claims 1 and 6 include this additional recitation of "automatically

calculating a local time...based on...*a present location of said apparatus.*" If the device resulting from the combination of Mardhekar and Smolinske is relocated into a different time zone, it would display the incorrect time for the selected city without the user having to program the Mardhekar and Smolinske device to enter what time zone the device is located in. Neither Mardhekar nor Smolinske, nor a combination thereof, disclose this novel aspect of the present invention; that is, using the time acquired from a remote system as the reference time used to calculate a local time of a selected city based on the present location of the apparatus.

With respect to Claim 6 a similar argument to that set forth above applies to the Kataoka/Smolinske combination. What results in the combination of Kataoka and Smolinske is a world time clock with the current chronological information. Again, this combination does not result in a device capable of "calculating a local time...based on...*a present location of said apparatus,*" as recited in the claims. Neither Kataoka nor Smolinske, nor a combination thereof, disclose this novel aspect of the present invention; that is, using the time acquired from a remote system as the reference time used to calculate a local time (the time in the selected city) of a selected city based on the present location of the apparatus.

Claims 1 and 6 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 5, 7, 8, 11 and 12, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2, 5, 7, 8, 11 and 12 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-2, 5-8, 11 and 12, are believed to be in condition for allowance. Should the Examiner believe that a further telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

Dated: July 30, 2001
DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516

PJF/MJM